

## **REMARKS**

Applicant is in receipt of the Office Action mailed December 9, 2004. Applicant has incorporated the subject matter of claim 8 into claim 1. Accordingly, Applicant has cancelled claim 8. Applicant has incorporated the subject matter of claim 26 into claim 21. Accordingly, Applicant has cancelled claim 26. Applicant has incorporated the subject matter of claim 55 into claim 52. Accordingly, Applicant has cancelled claim 55. Applicant has incorporated the subject matter of claim 61 into claim 58. Accordingly, Applicant has cancelled claim 61. Applicant has incorporated the subject matter of claim 67 into claim 64. Accordingly, Applicant has cancelled claim 67. Applicant has incorporated the subject matter of claim 82 into claim 76. Accordingly, Applicant has cancelled claim 82. Applicant has incorporated the subject matter of claim 88 into claim 87. Accordingly, Applicant has cancelled claim 88. Applicant has incorporated the subject matter of claim 92 into claim 91. Accordingly, Applicant has cancelled claim 92. Applicant has incorporated the subject matter of claim 98 into claim 95. Accordingly, Applicant has cancelled claim 98. Applicant has incorporated the subject matter of claim 151 into claim 150. Accordingly, Applicant has cancelled claim 151. Applicant has incorporated the subject matter of claim 161 into claim 160. Accordingly, Applicant has cancelled claim 161. Applicant cancels 79 without prejudice or disclaimer to the subject matter recited therein. Applicant has amended various of the claims and submits new claims to more fully and completely claim Applicant's invention. Reconsideration of the present case is earnestly requested in light of the following remarks.

### **§102 Rejections**

Claims 1-19, 21-32, 52-102, 110, 150-153, 155-157, 159-163, 167, and 169 were rejected under 35 U.S.C. 102(b) as being anticipated by Park (U.S. Patent No. 5,627,549).

Applicant respectfully submits that Park neither teaches nor suggests:

1. (Currently Amended) A method of providing geographic-based promotion information to a computing device operated by a user, the method comprising:

- receiving a geographic location of the computing device from the computing device;
- selecting promotion information dependent upon the geographic location of the computing device; and
- transmitting the promotion information to the computing device after said selecting.

Rather, Park teaches that information is collected from a data broadcast 26 by a device 40, and device 40 stores and maintains “a collection of data records from data broadcast 26” (Park col. 3, line 19 - col. 4, line 37). The user can designate filter criteria for the data broadcast 26 which can be used to determine if “information of potential interest” collected from data broadcast 26 is stored or discarded (Park col. 8, line 67 - col. 9, line 4). Once the “collection of data records from data broadcast 26” is received and stored, the user of device 40 can “. . . scan stored data records according to a given criteria, i.e., get a display selection from the user of device 40. For example, the user wishes to display data records according to a certain sequence or to display only records meeting a certain criteria, e.g., restaurant advertisements” (Park col. 9, line 67 - col. 10, line 5) (*emphasis added*). Furthermore, Park teaches “Important to note, as the user scans through stored data records and obtains a presentation on display 100. . .” (Park col. 10, lines 25-26) (*emphasis added*).

Therefore, Applicant respectfully submits that Park neither teaches nor suggests these features of claim 1. Thus, Applicant respectfully submits that claim 1 is patentably distinguished over Park. Accordingly, Applicant respectfully submits that, at least for one or more reasons presented, claim 1 and those dependent therefrom are allowable.

Claim 21 includes limitations similar to claim 1. Accordingly, Applicant respectfully submits that the arguments presented above for claim 1 apply with equal force to claim 21, as well. Thus, Applicant respectfully submits that claim 21 is patentably distinguished over Park. Accordingly, Applicant respectfully submits that, at least for the reasons presented, claim 21 and those dependent therefrom are allowable.

Claim 110 includes limitations similar to claim 1, specifically:

110. (Currently Amended) A carrier medium comprising program instructions for providing advertising, wherein the program instructions are computer-executable to implement:

receiving a geographic location of a computing device from the computing device;

transmitting advertisement information to the computing device, wherein a content of the advertisement information is dependent on the geographic location of the computing device.

Accordingly, Applicant respectfully submits that the arguments presented above for claim 1 apply with equal force to claim 110, as well. Thus, Applicant respectfully submits that claim 110 is patentably distinguished over Park. Accordingly, Applicant respectfully submits that, at least for the reasons presented, claim 110 and those dependent therefrom are allowable.

Applicant respectfully submits that Park neither teaches nor suggests:

52. (Currently Amended) A method of providing geographic-based promotion information to a user of a computing device, the method comprising:

receiving a geographic location of a computing device, wherein the geographic location of the computing

device comprises a geographic location of an access point communicating with the computing device;

transmitting promotion information to the computing device, wherein a content of the promotion information is dependent on the geographic location of the computing device.

Rather, Park teaches that a device 40 in Park's Figures 1 and 2 receives "information of potential interest" to a user through a data broadcast 26 from a single radio broadcast system 20. Device 40 automatically stores the "information of potential interest" from data broadcast 26 in a database: "In this manner, the operator need not monitor voice broadcast 22 to collect information of potential interest by way of data broadcast 26" (Park col. 8, lines 48-51) (*emphasis added*). The user may use device 40 to filter the "information of potential interest" with filtering criteria (Park col. 8, lines 52-54). "For example, the user may be interested in all data records broadcast and being associated with a location within a given distance of current vehicle location. In this manner, the user collects advertising information for vendors in close and convenient proximity to current vehicle location" (Park col. 8, lines 54-62) (*emphasis added*). Furthermore, Park nowhere teaches or suggests that location of a vehicle 10 comprises a location of "a single radio broadcast system 20".

Thus, Applicant respectfully submits that claim 52 is patentably distinguished over Park. Accordingly, Applicant respectfully submits that, at least for one or more reasons presented, claim 52 and those dependent therefrom are allowable.

Claim 58 includes limitations similar to claim 52. Accordingly, Applicant respectfully submits that the arguments presented above for claim 52 apply with equal force to claim 58, as well. Thus, Applicant respectfully submits that claim 58 is patentably distinguished over Park. Accordingly, Applicant respectfully submits that, at least for the reasons presented, claim 58 and those dependent therefrom are allowable.

Claim 64 includes limitations similar to claim 52, specifically:

64. (Currently Amended) A geographic-based promotion system, comprising:

a promotion provider operable to be coupled to a network to receive a geographic location of a computing device, wherein the geographic location of the computing device comprises a geographic location of an access point communicating with the computing device;

wherein the promotion provider provides promotion information through the network to the computing device, wherein a content of the promotion information is dependent upon the geographic location of the computing device.

Accordingly, Applicant respectfully submits that the arguments presented above for claim 52 apply with equal force to claim 64, as well. Thus, Applicant respectfully submits that claim 64 is patentably distinguished over Park. Accordingly, Applicant respectfully submits that, at least for the reasons presented, claim 64 and those dependent therefrom are allowable.

Claim 76 includes limitations similar to claim 52, specifically:

76. (Currently Amended) A geographic-based advertisement system, comprising:

an advertisement provider operable to be coupled to a network to receive a geographic location of a computing device, wherein the geographic location of the computing device comprises a geographic location of an access point coupled to the computing device;

wherein the advertisement provider provides advertisement information through the network to the computing device, wherein a content of the advertisement

information is dependent upon the geographic location of the computing device.

Accordingly, Applicant respectfully submits that the arguments presented above for claim 52 apply with equal force to claim 76, as well. Thus, Applicant respectfully submits that claim 76 is patentably distinguished over Park. Accordingly, Applicant respectfully submits that, at least for the reasons presented, claim 76 and those dependent therefrom are allowable.

Claim 95 includes limitations similar to claim 52, specifically:

95. (Currently Amended) A carrier medium comprising program instructions, wherein the program instructions are computer-executable to implement:

receiving a geographic location of a computing device, wherein the geographic location of the computing device comprises a geographic location of an access point communicating with the computing device;

transmitting promotion information to the computing device, wherein a content of the promotion information is dependent on the geographic location of the computing device.

Accordingly, Applicant respectfully submits that the arguments presented above for claim 52 apply with equal force to claim 95, as well. Thus, Applicant respectfully submits that claim 95 is patentably distinguished over Park. Accordingly, Applicant respectfully submits that, at least for the reasons presented, claim 95 and those dependent therefrom are allowable.

Applicant respectfully submits that Park neither teaches nor suggests:

87. (Currently Amended) A carrier medium for carrying signals in a geographic-based promotion system, wherein the carrier medium is operable to carry:

a geographic location of a computing device,  
wherein the computing device is operated by a user; and

promotion information which is provided to the computing device, wherein a content of the promotion information is dependent upon the geographic location of the computing device and past transactions of the user.

Rather, Park teaches that “information of potential interest” is collected by and stored in device 40 and that the user of device 40 can filter the “information of potential interest” with filtering criteria such as within a vicinity of a certain location and/or certain categories of information (Park col. 8, lines 52-64).

Thus, Applicant respectfully submits that claim 87 is patentably distinguished over Park. Accordingly, Applicant respectfully submits that, at least for one or more reasons presented, claim 87 and those dependent therefrom are allowable.

Claim 91 includes limitations similar to claim 87. Accordingly, Applicant respectfully submits that the arguments presented above for claim 91 apply with equal force to claim 87, as well. Thus, Applicant respectfully submits that claim 91 is patentably distinguished over Park. Accordingly, Applicant respectfully submits that, at least for the reasons presented, claim 91 and those dependent therefrom are allowable.

Applicant respectfully submits that Park neither teaches nor suggests:

150. (Currently Amended) An advertisement provider system for providing geographic-based advertisement information for a computing device, the system comprising:

a processor;

a memory coupled to the processor, wherein the memory stores program instructions which are executable by the processor to:

receive a geographic location of a computing device;

receive identity information of a user of the computing device;

select advertisement information dependent upon the geographic location of the computing device and the identity information of the user; and

transmit said advertisement information to a network, wherein said advertisement information is operable to be transmitted to the computing device via the network.

Thus, Applicant respectfully submits that claim 150 is patentably distinguished over Park. Accordingly, Applicant respectfully submits that, at least for one or more reasons presented, claim 150 and those dependent therefrom are allowable.

Claim 160 includes limitations similar to claim 150, and so the presented above for claim 150 apply with equal force to claim 160, as well. Thus, Applicant respectfully submits that claim 160 is patentably distinguished over Park. Accordingly, Applicant respectfully submits that, at least for the reasons presented, claim 160 and those dependent therefrom are allowable.

Claims 1-19, 21-32, 52-102, 110, 150-153, 155-157, 159-163, 167, 169 were rejected under 35 U.S.C. 102(e) as being anticipated by Semple et al. (U.S. Patent No. 6,408,307, hereinafter “Semple”) or Filepp et al. (U.S. Patent Application No. 2003/0018527).

Applicant respectfully submits that Semple neither teaches nor suggests:



1. (Currently Amended) A method of providing geographic-based promotion information to a computing device operated by a user, the method comprising:

- receiving a geographic location of the computing device from the computing device;
- selecting promotion information dependent upon the geographic location of the computing device; and
- transmitting the promotion information to the computing device after said selecting.

Applicant respectfully submits that Semple nowhere teaches or suggests “. . . receiving a geographic location of the computing device from the computing device. . . .*(emphasis added)*” as currently recited in claim 1.

Thus, Applicant respectfully submits that claim 1 is patentably distinguished over Semple. Accordingly, Applicant respectfully submits that, at least for one or more reasons presented, claim 1 and those dependent therefrom are allowable.

Claim 21 includes limitations similar to claim 1. Accordingly, Applicant respectfully submits that the arguments presented above for claim 1 apply with equal force to claim 21, as well. Thus, Applicant respectfully submits that claim 21 is patentably distinguished over Semple. Accordingly, Applicant respectfully submits that, at least for the reasons presented, claim 21 and those dependent therefrom are allowable.

Claim 110 includes limitations similar to claim 1, specifically:

110. (Currently Amended) A carrier medium comprising program instructions for providing advertising, wherein the program instructions are computer-executable to implement:

receiving a geographic location of a computing device from the computing device;

transmitting advertisement information to the computing device, wherein a content of the advertisement information is dependent on the geographic location of the computing device.

Accordingly, Applicant respectfully submits that the arguments presented above for claim 1 apply with equal force to claim 110, as well. Thus, Applicant respectfully submits that claim 110 is patentably distinguished over Semple. Accordingly, Applicant respectfully submits that, at least for the reasons presented, claim 110 and those dependent therefrom are allowable.

Applicant respectfully submits that Semple neither teaches nor suggests:

52. (Currently Amended) A method of providing geographic-based promotion information to a user of a computing device, the method comprising:

receiving a geographic location of a computing device, wherein the geographic location of the computing device comprises a geographic location of an access point communicating with the computing device;

transmitting promotion information to the computing device, wherein a content of the promotion information is dependent on the geographic location of the computing device.

Applicant respectfully submits that Semple nowhere teaches or suggests that the user's current location could include a location of an access point communicating with remote port 16.

In contrast, Applicant's invention as recited in claim 52 currently includes ". . .receiving a geographic location of a computing device, wherein the geographic location of the computing device comprises a geographic location of an access point communicating with the computing device. . ." Semple nowhere teaches or suggests this feature. Thus, Applicant respectfully submits that claim 52 is patentably distinguished over Semple. Accordingly, Applicant respectfully submits that, at least for one or more reasons presented, claim 52 and those dependent therefrom are allowable.

Claim 58 includes limitations similar to claim 52, and so the arguments presented above for claim 52 apply with equal force to claim 58, as well. Thus, Applicant respectfully submits that claim 58 is patentably distinguished over Semple. Accordingly, Applicant respectfully submits that, at least for the reasons presented, claim 58 and those dependent therefrom are allowable.

Claim 64 includes limitations similar to claim 52, specifically:

64. (Currently Amended) A geographic-based promotion system, comprising:

a promotion provider operable to be coupled to a network to receive a geographic location of a computing device, wherein the geographic location of the computing device comprises a geographic location of an access point communicating with the computing device;

wherein the promotion provider provides promotion information through the network to the computing device, wherein a content of the promotion information is dependent upon the geographic location of the computing device.

Accordingly, Applicant respectfully submits that the arguments presented above for claim 52 apply with equal force to claim 64, as well. Thus, Applicant respectfully submits that claim 64 is patentably distinguished over Semple. Accordingly, Applicant

respectfully submits that, at least for the reasons presented, claim 64 and those dependent therefrom are allowable.

Claim 76 includes limitations similar to claim 52, specifically:

76. (Currently Amended) A geographic-based advertisement system, comprising:

an advertisement provider operable to be coupled to a network to receive a geographic location of a computing device, wherein the geographic location of the computing device comprises a geographic location of an access point coupled to the computing device;

wherein the advertisement provider provides advertisement information through the network to the computing device, wherein a content of the advertisement information is dependent upon the geographic location of the computing device.

Accordingly, Applicant respectfully submits that the arguments presented above for claim 52 apply with equal force to claim 76, as well. Thus, Applicant respectfully submits that claim 76 is patentably distinguished over Semple. Accordingly, Applicant respectfully submits that, at least for the reasons presented, claim 76 and those dependent therefrom are allowable.

Claim 95 includes limitations similar to claim 52, specifically:

95. (Currently Amended) A carrier medium comprising program instructions, wherein the program instructions are computer-executable to implement:

receiving a geographic location of a computing device, wherein the geographic location of the computing device comprises a geographic location of an access point communicating with the computing device;

transmitting promotion information to the computing device, wherein a content of the promotion information is dependent on the geographic location of the computing device.

Accordingly, Applicant respectfully submits that the arguments presented above for claim 52 apply with equal force to claim 95, as well. Thus, Applicant respectfully submits that claim 95 is patentably distinguished over Semple. Accordingly, Applicant respectfully submits that, at least for the reasons presented, claim 95 and those dependent therefrom are allowable.

Applicant respectfully submits that Semple neither teaches nor suggests:

87. (Currently Amended) A carrier medium for carrying signals in a geographic-based promotion system, wherein the carrier medium is operable to carry:  
a geographic location of a computing device,  
wherein the computing device is operated by a user; and  
promotion information which is provided to the computing device, wherein a content of the promotion information is dependent upon the geographic location of the computing device and past transactions of the user.

Thus, Applicant respectfully submits that claim 87 is patentably distinguished over Semple. Accordingly, Applicant respectfully submits that, at least for one or more reasons presented, claim 87 and those dependent therefrom are allowable.

Claim 91 includes limitations similar to claim 87. Accordingly, Applicant respectfully submits that the arguments presented above for claim 91 apply with equal force to claim 87, as well. Thus, Applicant respectfully submits that claim 91 is patentably distinguished over Semple. Accordingly, Applicant respectfully submits that, at least for the reasons presented, claim 91 and those dependent therefrom are allowable.

Applicant respectfully submits that Semple neither teaches nor suggests:

150. (Currently Amended) An advertisement provider system for providing geographic-based advertisement information for a computing device, the system comprising:

a processor;

a memory coupled to the processor, wherein the memory stores program instructions which are executable by the processor to:

receive a geographic location of a computing device;

receive identity information of a user of the computing device;

select advertisement information dependent upon the geographic location of the computing device and the identity information of the user; and

transmit said advertisement information to a network, wherein said advertisement information is operable to be transmitted to the computing device via the network.

Thus, Applicant respectfully submits that claim 150 is patentably distinguished over Semple. Accordingly, Applicant respectfully submits that, at least for one or more reasons presented, claim 150 and those dependent therefrom are allowable.

Claim 160 includes limitations similar to claim 150, and so the presented above for claim 150 apply with equal force to claim 160, as well. Thus, Applicant respectfully submits that claim 160 is patentably distinguished over Semple. Accordingly, Applicant respectfully submits that, at least for the reasons presented, claim 160 and those dependent therefrom are allowable.

Applicant respectfully submits that Filepp neither teaches nor suggests:

1. (Currently Amended) A method of providing geographic-based promotion information to a computing device operated by a user, the method comprising:
  - receiving a geographic location of the computing device from the computing device;
  - selecting promotion information dependent upon the geographic location of the computing device; and
  - transmitting the promotion information to the computing device after said selecting.

Rather, Filepp teaches that advertising is based on user demographics and the locale of the user and not a location of a computing device received from the computing device: “. . .the advertising presented is individualized to the respective users based on characterizations of the respective users as defined by the interaction history with the service and such other information as user demographics and locale” (Filepp paragraph 0064) (*emphasis added*). Applicant respectfully submits that a locale of a user, as used in Filepp, does not teach or suggest “. . .receiving a geographic location of the computing device from the computing device. . .” as currently recited in claim 1.

Thus, Applicant respectfully submits that claim 1 is patentably distinguished over Filepp. Accordingly, Applicant respectfully submits that, at least for one or more reasons presented, claim 1 and those dependent therefrom are allowable.

Claim 21 includes limitations similar to claim 1, and so the arguments presented above for claim 1 apply with equal force to claim 21, as well. Thus, Applicant respectfully submits that claim 21 is patentably distinguished over Filepp. Accordingly, Applicant respectfully submits that, at least for the reasons presented, claim 21 and those dependent therefrom are allowable.

Claim 110 includes limitations similar to claim 1, specifically:

110. (Currently Amended) A carrier medium comprising program instructions for providing advertising, wherein the program instructions are computer-executable to implement:

receiving a geographic location of a computing device from the computing device;

transmitting advertisement information to the computing device, wherein a content of the advertisement information is dependent on the geographic location of the computing device.

Accordingly, Applicant respectfully submits that the arguments presented above for claim 1 apply with equal force to claim 110, as well. Thus, Applicant respectfully submits that claim 110 is patentably distinguished over Filepp. Accordingly, Applicant respectfully submits that, at least for the reasons presented, claim 110 and those dependent therefrom are allowable.

Applicant respectfully submits that Filepp neither teaches nor suggests:

52. (Currently Amended) A method of providing geographic-based promotion information to a user of a computing device, the method comprising:

receiving a geographic location of a computing device, wherein the geographic location of the computing device comprises a geographic location of an access point communicating with the computing device;

transmitting promotion information to the computing device, wherein a content of the promotion information is dependent on the geographic location of the computing device.



Rather, Filepp teaches that advertising is based on user demographics and the locale of the user and not a location of a computing device which comprises a geographic location of an access point communicating with the computing device: “. . .the advertising presented is individualized to the respective users based on characterizations of the respective users as defined by the interaction history with the service and such other information as user demographics and locale” (Filepp paragraph 0064) (*emphasis added*). Applicant respectfully submits that a locale of a user, as used in Filepp, does not teach or suggest “. . . receiving a geographic location of a computing device, wherein the geographic location of the computing device comprises a geographic location of an access point communicating with the computing device. . .” as currently recited in claim 52.

Thus, Applicant respectfully submits that claim 52 is patentably distinguished over Filepp. Accordingly, Applicant respectfully submits that, at least for one or more reasons presented, claim 52 and those dependent therefrom are allowable.

Claim 58 includes limitations similar to claim 52. Accordingly, Applicant respectfully submits that the arguments presented above for claim 52 apply with equal force to claim 58, as well. Thus, Applicant respectfully submits that claim 58 is patentably distinguished over Filepp. Accordingly, Applicant respectfully submits that, at least for the reasons presented, claim 58 and those dependent therefrom are allowable.

Claim 64 includes limitations similar to claim 52, specifically:

64. (Currently Amended) A geographic-based promotion system, comprising:

a promotion provider operable to be coupled to a network to receive a geographic location of a computing device, wherein the geographic location of the computing device comprises a geographic location of an access point communicating with the computing device;

wherein the promotion provider provides promotion information through the network to the computing device,

wherein a content of the promotion information is dependent upon the geographic location of the computing device.

Accordingly, Applicant respectfully submits that the arguments presented above for claim 52 apply with equal force to claim 64, as well. Thus, Applicant respectfully submits that claim 64 is patentably distinguished over Filepp. Accordingly, Applicant respectfully submits that, at least for the reasons presented, claim 64 and those dependent therefrom are allowable.

Claim 76 includes limitations similar to claim 52, specifically:

76. (Currently Amended) A geographic-based advertisement system, comprising:

an advertisement provider operable to be coupled to a network to receive a geographic location of a computing device, wherein the geographic location of the computing device comprises a geographic location of an access point coupled to the computing device;

wherein the advertisement provider provides advertisement information through the network to the computing device, wherein a content of the advertisement information is dependent upon the geographic location of the computing device.

Accordingly, Applicant respectfully submits that the arguments presented above for claim 52 apply with equal force to claim 76, as well. Thus, Applicant respectfully submits that claim 76 is patentably distinguished over Filepp. Accordingly, Applicant respectfully submits that, at least for the reasons presented, claim 76 and those dependent therefrom are allowable.

Claim 95 includes limitations similar to claim 52, specifically:

95. (Currently Amended) A carrier medium comprising program instructions, wherein the program instructions are computer-executable to implement:

receiving a geographic location of a computing device, wherein the geographic location of the computing device comprises a geographic location of an access point communicating with the computing device;

transmitting promotion information to the computing device, wherein a content of the promotion information is dependent on the geographic location of the computing device.

Accordingly, Applicant respectfully submits that the arguments presented above for claim 52 apply with equal force to claim 95, as well. Thus, Applicant respectfully submits that claim 95 is patentably distinguished over Filepp. Accordingly, Applicant respectfully submits that, at least for the reasons presented, claim 95 and those dependent therefrom are allowable.

Applicant respectfully submits that Filepp neither teaches nor suggests:

87. (Currently Amended) A carrier medium for carrying signals in a geographic-based promotion system, wherein the carrier medium is operable to carry:

a geographic location of a computing device, wherein the computing device is operated by a user; and

promotion information which is provided to the computing device, wherein a content of the promotion information is dependent upon the geographic location of the computing device and past transactions of the user.

Thus, Applicant respectfully submits that claim 87 is patentably distinguished over Filepp. Accordingly, Applicant respectfully submits that, at least for one or more reasons presented, claim 87 and those dependent therefrom are allowable.

Claim 91 includes limitations similar to claim 87. Accordingly, Applicant respectfully submits that the arguments presented above for claim 91 apply with equal force to claim 87, as well. Thus, Applicant respectfully submits that claim 91 is patentably distinguished over Filepp. Accordingly, Applicant respectfully submits that, at least for the reasons presented, claim 91 and those dependent therefrom are allowable.

Applicant respectfully submits that Filepp neither teaches nor suggests:

150. (Currently Amended) An advertisement provider system for providing geographic-based advertisement information for a computing device, the system comprising:

a processor;

a memory coupled to the processor, wherein the memory stores program instructions which are executable by the processor to:

receive a geographic location of a computing device;

receive identity information of a user of the computing device;

select advertisement information dependent upon the geographic location of the computing device and the identity information of the user; and .

transmit said advertisement information to a network, wherein said advertisement information is operable to be transmitted to the computing device via the network.

Thus, Applicant respectfully submits that claim 150 is patentably distinguished over Filepp. Accordingly, Applicant respectfully submits that, at least for one or more reasons presented, claim 150 and those dependent therefrom are allowable.

Claim 160 includes limitations similar to claim 150, and so the presented above for claim 150 apply with equal force to claim 160, as well. Thus, Applicant respectfully submits that claim 160 is patentably distinguished over Filepp. Accordingly, Applicant respectfully submits that, at least for the reasons presented, claim 160 and those dependent therefrom are allowable.

Applicant also respectfully submits that numerous ones of the dependent claims recite further distinctions over the cited art. However, since the independent claims have been shown to be patentably distinct, a further discussion of the dependent claims is not necessary at this time.

Applicant respectfully requests removal of the §102 rejections.

#### New Claims

Applicant submits new claims 196 – 203. New claims 196 – 200 are allowable as depending on allowable base claims as argued above.

New claim 200 recites:

200. (New) A computer-readable data signal embodied in a carrier wave comprising advertisement information, wherein a content of the advertisement information is based on a geographic location of a computing device, wherein the geographic location of the computing device comprises a geographic location of an access point communicating with the computing device.

New claim 202 recites:

202. (New) A computer-readable data signal embodied in a carrier wave comprising promotion information, wherein a content of the promotion information is based on a geographic location of a computing device, wherein the geographic location of

the computing device comprises a geographic location of an access point communicating with the computing device.

The Park reference does not teach or suggest a computer-readable data signal that comprises advertisement or promotion information, wherein a content of the information is based on a geographic location of a computing device, wherein the geographic location of the computing device comprises a geographic location of an access point communicating with the computing device. The Park reference does not mention an access point at all, and certainly does not mention determining a geographic location of a computing device based on a geographic location of an access point communicating with the computing device.

## CONCLUSION


Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel PC Deposit Account No. 50-1505/5285-00108/JCH.

Also enclosed herewith are the following items:

☒ Return Receipt Postcard

Respectfully submitted,

  
\_\_\_\_\_  
Jeffrey C. Hood  
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ATTORNEY FOR APPLICANT(S)

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